

REMARKS

I. INTRODUCTORY REMARKS

Upon entry of this Amendment, claims 12-22, 26-28, 32-33, 38-40, and 44-49 will be pending in the application. The Applicant gratefully acknowledges the indication of allowable subject matter in claims 12-22, 26-28, 32-33, 38-40, and 44-49. By this Amendment, claims 24, 34-37, and 41-43 are canceled without prejudice or disclaimer and Applicant expressly reserves the right to pursue the subject matter of such claims in a related continuation or divisional application. Withdrawn claims 1-11 and 25, as well as claims 23 and 29-31, were previously canceled without prejudice or disclaimer and Applicant expressly reserves the right to pursue the subject matter of such claims in a related continuation or divisional application. In view of the foregoing amendments and following remarks, the Applicant respectfully submits that the application is in condition for allowance. Reconsideration and withdrawal of the rejections are respectfully requested.

II. CLAIM REJECTIONS UNDER 35 U.S.C. §§ 102, 103

In numbered paragraph 2 on pages 2-3 of the Final Office Action dated July 10, 2008, claims 35, 37, 41, and 43 are rejected under 35 U.S.C. § 102(e) as being anticipated by either one of U.S. Patent Nos. 5,998,551 and 5,993,415 to O'Neil *et al.* ("O'Neil '551" and "O'Neil '415" respectively). The rejection is respectfully traversed. Nevertheless, in the interest of expediting prosecution, claims 35, 37, 41, and 43 are hereby canceled, thus rendering the rejection moot.

In numbered paragraph 3 on pages 3-4 of the Final Office Action, claims 24, 34, 36, and 42 are rejected under 35 U.S.C. § 103(a) as being unpatentable over O'Neil '551 or O'Neil '415, in view of U.S. Patent Application Publication No. 2002/0018866 to Lee *et al.* ("Lee"). The rejection is respectfully traversed. Nevertheless, in the interest of expediting prosecution, claims 24, 34, 36, and 42 are hereby canceled, thus rendering the rejection moot.

In numbered paragraph 4 on page 4 of the Final Office Action, claims 35, 37, 41, and 43 are rejected as being anticipated by each of Richards *et al.* ('816), Suzuki *et al.* ('316), Tobias *et al.* ('658), and Lenard *et al.* ('589). The rejection is respectfully traversed. Nevertheless, in the interest of expediting prosecution, claims 35, 37, 41, and 43 are hereby canceled, thus rendering the rejection moot.

III. CONCLUSION

All of the stated grounds of objection and rejection are believed to have been properly overcome, traversed, accommodated, or rendered moot. Applicant therefore respectfully requests that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicant believes that a full and complete reply has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. An early notice indicating the allowability of claims 12-22, 26-28, 32-33, 38-40, and 44-49 is respectfully requested.

The Examiner is respectfully requested to contact Applicant's undersigned Representative if necessary to place the application in condition for allowance.

Prompt consideration and allowance of the application is respectfully requested.

Respectfully submitted,

Date: November 10, 2008

By: /Ryan M. Flandro/
Keith G. Haddaway, Ph.D.
Registration No. 46,180
Ryan M. Flandro
Registration No. 58,094
VENABLE LLP
P.O. Box 34385
Washington, DC 20043-9998
Telephone: (202) 344-4000
Telefax: (202) 344-8300

DC2/996434v1